

The House Committee on Judiciary Non-Civil offers the following substitute to SB 154:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 16-6-5.1 of the Official Code of Georgia Annotated, relating to sexual assault by persons with supervisory or disciplinary authority, so as to revise a definition; to change provisions relating to sexual contact between school employees and students enrolled at such school; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 16-6-5.1 of the Official Code of Georgia Annotated, relating to sexual assault by persons with supervisory or disciplinary authority, is amended by revising paragraph (5) of subsection (a) and the introductory language of and paragraph (1) of subsection (b) as follows:

"(5) 'School' means any ~~educational program or institution instructing public school in this state or private school that meets the requirements of Code Section 20-2-690 and which instructs~~ children at any level, pre-kindergarten through twelfth grade, or the equivalent thereof if grade divisions are not used.

(b) A person who has supervisory or disciplinary authority over another individual commits sexual assault when ~~that~~ such person:

(1) ~~Is a teacher, principal, assistant principal, or other administrator~~ an employee of any school and engages in sexual contact with such other individual who the actor knew or should have known is enrolled at the same school; ~~provided, however, that such contact shall not be prohibited when the actor is married to such other individual;~~

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.